

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

CITICAPITAL COMMERCIAL CORPORATION

PLAINTIFF

vs.

5:06CV00180-WRW

**WILSON EQUIPMENT COMPANY, INC.,
and PHILLIP C. WILSON**

DEFENDANTS

CONSENT JUDGMENT

Upon consideration of the complaint of Citicapital Commercial Corporation (“Citicapital”), the agreement of the parties, other evidence and proof and the court being fully advised finds and orders as follows:

1. The Court has jurisdiction of the subject matter and parties to this action. The defendants, Wilson & Equipment Co., Inc. (“Wilson Equipment”) and Phillip C. Wilson were properly served with summons and complaint and have entered an appearance in this action.
2. Wilson Equipment and Phillip C. Wilson are indebted to Citicapital under the terms of the February 11, 2005 security agreement and floor plan agreement in the amount of \$603,112.27.
3. Wilson Equipment and Phillip C. Wilson are indebted to Citicapital on the March 16, 2005 Security Agreement in the amount of \$44,774.40.
4. Citicapital is entitled to a money judgment against Wilson Equipment and Phillip C. Wilson for the amount of the debt stated plus interest, court costs and a reasonable attorney’s fee. A reasonable attorney’s fee in this case is \$5,000.
5. Citicapital’s claims for Replevin are withdrawn.

IT IS THEREFORE CONSIDERED, ORDERED AND ADJUDGED THAT Citicapital Commercial Corporation have and recover from Wilson Equipment Co., Inc. and Phillip C. Wilson, jointly and severally, judgment in the amounts of \$603,112.27 and \$44,774.40 plus

interest on each amount from the date of the judgment until paid at the federal court judgment
interest rate a reasonable attorney's fee in the amount of \$5,000.00 and court costs incurred.

IT IS SO ORDERED this 20th day of March, 2007.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

APPROVED:

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